IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 5477 OF 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the Civil Judge ?

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MANUBEN K. CHAVADA & ANR. - Petitioner(s)
Versus
GUJARAT HOUSING BOARD - Respondent(s)

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Appearance :
Shri C. G. Govindan for Petitioner(s) : 1 - 2.
Shri H.S. Munshaw for Respondent(s).

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 31/07/2007

ORAL JUDGMENT

The petitioners, being aggrieved by the award dated 27th November, 1995 passed by the learned Labour Court, Ahmedabad in

Reference (LCA) No.1774 of 1986, are before this Court with a submission that the learned Court below erred in not directing reinstatement in favour of the petitioners.

Undisputedly, the petitioners were daily wagers and from the evidence, it would appear that they had not worked for 240 or more days in twelve calendar months preceding the date of retrenchment. If such is the finding based upon appreciation of the evidence, the High Court would not hold that removal amounted to illegal retrenchment.

The petition is dismissed. Rule is discharged. Interim relief, if any, is vacated. No costs.

[R.S.Garg, J.]

*kamlesh**